IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SECOND DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT APPEAL NO : 1249 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 13-04-2003 in W.P.M.P.No.5744 of 2003 in W.P.No.4366 of 2003 on the file of the High Court.)

Between:

Sri Gopalaswamy Educational Society, Siddhavattam

Village and Mandal, Cuddapah District,

Rep. by its President T.Krishna Murthy.

..... PETITIONER

AND

1.Government of Andhra Pradesh, rep. by its Secretary,

Department of Education, A.P., Secretariat, Hyderabad.

2.The Commissioner and Director of School Education,

A.P., Hyderabad.

3.The Regional Joint Director of School Education, Cuddapah.

4.The District Educational Officer, Cuddapah.

5.The District Collector, Cuddapah, Andhra Pradesh.

6.Samadari Begum, W/o.T.Md.Khasim, Grade-I Hindi Pandit,

Z.P. Girls High School, Khazipet, Cuddapah District.

7.J.Padmavatamma, W/o.Narayana, B.Ed. Asst. (Maths),

Z.P. Girls High School, Badvel, Cuddapah District.

8.K.Lakshmi Kesamma, W/o.Srinivasulu Reddy,

School Asst. (Science), Z.P. Girls High School,

Rajampet, Cuddapah.

9.S.Lakshmi Devi, W/o.Nageswara Rao, Teacher,

Z.P. Girls High School, Kodur (Rly.), Cuddapah District.

10.V.R.Goda Devi, W/o.Nagaraju, Tailoring Instructuress,

Z.P. Girls High School, Vempalli, Cuddapah District.

11.The Chairperson, Zilla Parishad, Cuddapah.

.....RESPONDENTS

Counsel for the Appellant: MR V.S.R. ANJANEYULU

Counsel for Respondents 1 to 5: GOVERNMENT PLEADER FOR SCHOOL EDUCATION

Counsel for Respondents 6 to 10:MR K.JAGAN MOHAN REDDY

Counsel for Respondent No.11: MR K.BALA GOPAL

The Court made the following JUDGMENT:

(Per Hon'ble B.Sudershan Reddy, J)

We do not find any ground to interfere with the interlocutory order passed by the learned Single Judge refusing to interdict the order passed by the District Educational Officer, Cuddapah, which itself appears to have been passed in the peculiar facts and circumstances prevailing in the appellant-Institution. The learned Judge in his discretion came to the conclusion that it is not a fit case to grant any interlocutory order. The order passed by the learned Judge did not result in any irreversible situation requiring our interference. The appellate Court normally does not interfere with such discretionary orders as the one under appeal. In the circumstances, the appeal shall stand dismissed.

The observations made in the impugned interlocutory order shall have no bearing upon the merits of the case.

Having regard to the urgency involved, the Registry is directed to list this writ petition for hearing on the top of the list on 7th September, 2004, subject to part heard cases.

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(B.SUDERSHAN REDDY, J)

Dated: 2nd August, 2004.

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(K.C.BHANU, J)

Grr/Ak*

To

1.The Secretary, Department of Education, Government of Andhra Pradesh, Secretariat, Hyderabad.

2.The Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.

3.The Regional Joint Director of School Education, Cuddapah.

4.The District Educational Officer, Cuddapah.

5.The District Collector, Cuddapah, Andhra Pradesh.

6.Two CCs to the Government Pleader for School Education, High Court Buildings, Hyderabad (O.U.T).

7.Two CD copies.